REMARKS/ARGUMENTS

Applicants appreciate the thorough examination of the present application, as evidenced by the first Official Action. The Official Action rejects Claims 1, 2, 4-6, 11-13, 14-17, 18, 29, 21-23, 28-30, 32-34, 35, 36, 38-40, 45-47, 49-51, 52-54, 56, 58 and 59 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,690,407 to Parker et al. The Official Action then rejects the remaining claims, namely Claims 3, 7-10, 14, 20, 24-27, 31, 37, 41-44, 48, 55 and 57, under 35 U.S.C. § 103(a) as being unpatentable over Parker, in view of U.S. Patent No. 6,910,074 to Amin et al. As explained below, Applicants respectfully submit that the claimed invention is patentably distinct from Parker and Amin, taken individually or in any proper combination. Nonetheless, Applicants have amended various ones of the claims to further clarify the claimed invention. In view of the amendments to the claims and the remarks presented herein, Applicants respectfully request reconsideration and allowance of all of the pending claims of the present application.

A. Claims 1, 2, 4-6, 11-13, 14-17, 18, 29, 21-23, 28-30, 32-34, 35, 36, 38-40, 45-47, 49-51, 52-54, 56, 58 and 59 are Patentable

The first Official Action rejects Claims 1, 2, 4-6, 11-13, 14-17, 18, 29, 21-23, 28-30, 32-34, 35, 36, 38-40, 45-47, 49-51, 52-54, 56, 58 and 59 as being anticipated by Parker. According to one aspect of the present invention, as reflected by amended independent Claim 1, a system is provided that includes an originating node configured to initiate communication with a terminating node, and an intermediate node located between the originating node and the terminating node. As recited, the originating node is configured to initiate communication with the terminating node in a manner based upon at least one parameter for communication with the intermediate node and/or the terminating node. In this regard, the originating node is configured to initiate communication by (a) requesting communication with the terminating node via the intermediate node, or (b) notifying the terminating node of incoming data independent of the intermediate node. The originating node or the intermediate node is configured to notify the terminating node of incoming data when the originating node initiates communication in accordance with (a), namely by requesting communication with the terminating node via the

intermediate node. The terminating node, upon being notified of incoming data, is configured to register with the intermediate node to thereby enable Internet Protocol (IP) communication between the originating node and the terminating node via the intermediate node.

In contrast to amended independent Claim 1, Parker (as well as Amin) does not teach or suggest a system for establishing an IP connection with a terminating node, whereby <u>the terminating node, upon being notified of incoming data, is configured to register with the intermediate node to thereby enable Internet Protocol (IP) communication between the originating node and the terminating node via the intermediate node</u>. Briefly, Parker discloses a combined telephonic/computerized on-demand ordering system whereby a central server may establish a data call between the computers of first and second users as telephones of the first and second users carry out a telephone call. Parker discloses that its central server may register a provider (second user) and include a database of registered providers including their respective telephone numbers (of their telephones) and IP addresses (of their computers). In this regard, one may argue that Parker discloses registering a provider (second user – terminating node) with the central server (intermediate node).

Even given the aforementioned interpretation, Parker still does not teach or suggest that its provider registers with the central server <u>upon being notified of incoming data</u>, as recited by amended independent Claim 1. Rather, interactions with a provider (second user) according to Parker presuppose registration of that provider with the central server. Parker, col. 4, ll. 47-50 ("When a user is "on-line" ..., their computer sends a registration message to the central server 13 to notify it that the user is available."). Amended independent Claim 1, on the other hand, recites notifying the terminating node of incoming data, and upon that notification, registering the terminating node to enable IP communication.

Applicants therefore respectfully submits that amended independent Claim 1, and by dependency Claims 2-17, is patentably distinct from Parker. Applicants also respectfully submit that amended independent Claims 18, 35, 52 and 59 recite subject matter similar to that of amended independent Claim 1, including the aforementioned registering a terminating node or apparatus upon or in response to receiving a notification to thereby enable IP communication. As such, Applicants respectfully submit that amended independent Claims 18, 35, 52 and 59, and

by dependency Claims 19-34, 36-51 and 53-58, are also patentably distinct from Parker for at least the reasons given above with respect to amended independent Claim 1.

For at least the foregoing reasons, Applicants respectfully submit that the rejection of Claims 1, 2, 4-6, 11-13, 14-17, 18, 29, 21-23, 28-30, 32-34, 35, 36, 38-40, 45-47, 49-51, 52-54, 56, 58 and 59 as being anticipated by Parker is overcome.

B. Claims 3, 7-10, 14, 20, 24-27, 31, 37, 41-44, 48, 55 and 57 are Patentable

The Official Action rejects Claims 3, 7-10, 14, 20, 24-27, 31, 37, 41-44, 48, 55 and 57 as being unpatentable over Parker, in view of U.S. Patent No. 6,910,074 to Amin. As explained above, amended independent Claims 1, 18, 35, 52 and 59, and by dependency Claims 2-17, 19-34, 36-51 and 53-58, are patentably distinct from Parker. Applicants respectfully submit that Amin does not cure the deficiencies of Parker. That is, even considering Amin, neither Parker nor Amin, taken individually or in any proper combination, teach or suggest the aforementioned registering a terminating node or apparatus upon or in response to receiving a notification to thereby enable IP communication, as per amended independent Claims 1, 18, 35, 52 and 59. Applicants therefore respectfully submit that amended independent Claims 1, 18, 35, 52 and 59, and by dependency Claims 2-17, 19-34, 36-51 and 53-58, are patentably distinct from Parker, in view of Amin.

For at least the foregoing reasons, Applicants submit that the rejection of Claims 3, 7-10, 14, 20, 24-27, 31, 37, 41-44, 48, 55 and 57 as being unpatentable over Parker, in view of Amin, is overcome.
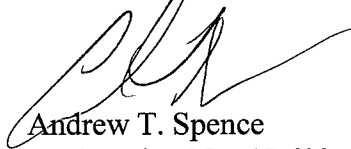
CONCLUSION

In view of the amendments to the claims, and the remarks presented herein, Applicants respectfully submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact Applicants' undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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LEGAL02/30765941v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON MAY 16, 2008.